

**REMARKS**

In the Office Action mailed on December 2, 2004, the Examiner rejected claims 1-12 and 13-15 under 35 U.S.C. § 102(b) as being anticipated by Stokes, U.S. Patent No. 4,870,515. By this Amendment, Applicants have amended claim 1 to clarify the claim recitations, taking care not to add any new matter.

*Section 102(b) Rejections*

Claims 1-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stokes. To anticipate a claim, a reference must teach every element of the claim. M.P.E.P. § 2131.01 (8<sup>th</sup> ed. 2001, revised February 2003). Because Stokes does not disclose all of the elements recited in claims 1-12, Applicants request the reconsideration and withdrawal of the Section 102(b) rejection.

Claim 1, as amended, recites a music piece data managing apparatus including, among other elements, a data transfer part for transferring reproducing order data to another storage part outside said music piece data managing apparatus. Stokes fails to disclose transferring reproducing order data. Instead, Stokes merely discloses transferring music data, such as a song or title. Indeed, the Examiner states in the Office Action that “music is transferred” from the terminal to a portable player device. (Office Action, p. 5.) To play the music, the stored data is transferred into the memory of a playback apparatus that includes keys for selecting a desired order for playback. Once a user selects the playback order on the playback apparatus, the playback apparatus advances the recording medium to play the songs in the selected order. (Stokes, col. 2, ll. 25-38.) Because the playback order in Stokes is input directly into the

playback apparatus, there would be no need to transfer reproducing order data to another storage part outside said music piece data managing apparatus. Accordingly, Stokes fails to disclose transferring reproducing order data to another storage part outside said music piece data managing apparatus, as recited in amended claim 1.

For at least the reasons set forth above, Stokes fails to teach each and every element of amended claim 1 and the claims that depend therefrom. Therefore, Applicants request the reconsideration and withdrawal of the Section 102(b) rejection of claims 1, 3-7, and 11-12.

Stokes also fails to teach every element of claim 2. The Examiner has not shown any teaching of the rearrangement of management data in accordance with an input reproducing order, as recited in claim 2. Instead, Stokes merely teaches that a tape is advanced to play songs in a selected order. (Stokes, col. 2, ll. 25-38). Nothing in Stokes teaches rearranging management data based on a reproducing order, as recited in claim 2. For at least these reasons, Stokes fails to disclose each and every element of claim 2 and the claims that depend therefrom. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the Section 102(b) rejection of claim 2.

Stokes also fails to teach every element of claim 8. For example, Stokes does not teach a transfer data reading part for reading reproducing order data transferred by a data transfer media. As discussed above, the playback apparatus of Stokes includes keys for selecting a desired order for playback. Once a user selects the playback order on the playback apparatus, the playback apparatus advances the recording medium to play the songs in the selected order. Nothing in the reference teaches reproducing

order data that is transferred by a data transfer media. Since the playback order in Stokes is input directly into the playback apparatus, there would be no need to transfer reproducing order data at all.

For at least these reasons, Stokes fails to disclose each and every element of claim 8 and the claims that depend therefrom. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the Section 102(b) rejection of claims 8-10.

Claim 13 recites an apparatus that includes the transfer of reproducing order data to another storage part by using a memory medium. Nothing in Stokes teaches an apparatus that transfers reproducing order data to another storage part by using a memory medium. Stokes merely discloses supplying header data through a connector bus. (Office Action at 5; Stokes col. 6, l. 64—col. 7, l. 34). The connector bus in Stokes is not the same as the memory medium recited in claim 13.

Claim 14 recites an apparatus that includes the transfer of reproducing order data to another storage part by a connection between said another storage part and the music piece data managing apparatus. Nothing in Stokes teaches such an apparatus. Stokes merely discloses supplying header data through a connector bus. (Office Action at 5; Stokes col. 6, l. 64—col. 7, l. 34). The header data in Stokes does not include reproducing order data. Instead, the header data in Stokes merely includes the artist, title, track number, or selection number for the selections. (Stokes col. 5, ll. 1-10).

Finally, regarding claim 15, the Examiner cites a portion of Stokes that does not seem at all related to claim 15.

For at least these reasons, Stokes fails to disclose each and every element of claims 13-15. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the Section 102(b) rejection of claims 13-15.

Applicants respectfully request reconsideration of this application, withdrawal of the claim rejection, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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